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C O N F I D E N T I A L STATE 055323

FOLLOWING REPEAT MOSCOW 2977 SENT ACTION SECSTATE INFO LENINGRAD
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QUOTE C O N F I D E N T I A L MOSCOW 2977

E.O. 11652: XGDS-1
TAGS: PFOR, PINT, CSCE, SHUM, UR, US
SUBJECT: CSCE IMPLEMENTATION: SEVENTH MEETING WITH SOVIETS

REF: 76 MOSCOW 19609

1. BEGIN SUMMARY. AMBASSADOR MET WITH MFA DEPUTY KORNIYENKO
AT LATTER'S REQUEST MARCH 1. IN GIVING DETAILED RESPONSES
TO OUR DECEMBER 14, 1976, DEMARCHE KORNIYENKO REPEATED
PREVIOUS ASSERTIONS, OFFERED A FEW CRUMBS. BUT ALTHOUGH
MEETING WAS BUSINESSLIKE AND THE DOOR LEFT OPEN FOR FURTHER
DIALOGUE, SOVIET PERFORMANCE ON KEY HUMAN RIGHTS ISSUES
OVER PAST TWO MONTHS HAS BEEN RETROGRADE AND WE SEE LITTLE
HOPE OF REAL PROGRESS IN THIS AREA BEFORE THE JUNE BELGRADE
MEETING. END SUMMARY.

2. FOLLOWING ARE POINTS MADE ORALLY MARCH 1 BY DEPUTY
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FOREIGN MINISTER KORNIYENKO TO AMBASSADOR IN RESPONSE TO
OUR DECEMBER 14 CSCE DEMARCHE (REFTEL):

3. GENERAL REMARKS: IN GENERAL, SOVIETS REACTED
POSITIVELY TO OUR DECEMBER DEMARCHE AND AFFIRM THAT THEY
ARE ALSO PREPARED TO IMPLEMENT ALL PORTIONS OF THE FINAL
ACT. IN IMPLEMENTING THOSE PROVISIONS, SOVIETS ATTACH
GREAT SIGNIFICANCE TO "MAJOR POLITICAL QUESTIONS" WHICH
FLOW FROM CSCE.

4. NON FIRST USE OF NUCLEAR WEAPONS:

SOVIETS PLACE GREAT EMPHASIS ON THIS PROPOSAL AND REGRET THAT NO FORMAL U.S. REPLY HAS BEEN RECEIVED. WHEN AMBASSADOR SAID THAT NATO RESPONSE CONSTITUTED DEFINITIVE REPLY, KORNIYENKO SAID IT SEEMED TO HAVE BEEN TAKEN HASTILY AND HOPED THE PROPOSAL WOULD BE RE-EXAMINED.

5. RELATIVE IMPORTANCE OF BASKETS:

U.S. SEEMS TO PLACE DISPROPORTIONATE EMPHASIS ON BASKET III. U.S. DEMARCHE SPEAKS OF SPECIAL IMPORTANCE OF COOPERATION "IN HUMANITARIAN AND OTHER FIELDS" IN KEEPING WITH U.S. NATURAL TRADITION, AND WHEREAS U.S. MADE ONLY TWO SMALL SUGGESTIONS FOR BASKET I, IT MADE SIX TIMES AS MANY FOR BASKET III. SOVIETS' HISTORICAL TRADITIONS, INCLUDING WORLD WAR II TRAGEDY, COMPEL THEM TO PLACE FIRST PRIORITY ON SECURITY PROVISIONS ALTHOUGH THEY PLACE "EQUAL EMPHASIS" ON OTHER BASKETS.

6. SPECIFIC U.S. PROPOSALS AND REACTION TO SOVIET PROPOSALS:

BASKET I: A AND B: EXCHANGES OF LECTURERS AND DELEGATIONS FROM SENIOR SERVICE COLLEGES. THESE TWO "MINOR" U.S. PROPOSALS ARE WELCOME AND POSITIVE REPLY WILL BE COMMUNICATED BY MOD TO DATT (SEE MOSCOW 2826).

BASKET II:

A. BUSINESS CONTACTS AND EXCHANGES. REAL PROGRESS DEPENDS ON ELIMINATION OF U.S. DISCRIMINATORY CONFIDENTIAL

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PRACTICES WHICH U.S. HAS NO MORAL RIGHT TO IMPOSE. FRANKLY, THE SOVIETS SEE NO EVIDENCE OF REAL U.S. EFFORTS SINCE LAST YEAR. TO THE CONTRARY, SOVIETS SEE A DISTINCT ABSENCE OF EFFORTS SINCE AUGUST 1976. SOVIETS HAVE LIVED WITH THIS SITUATION AND ARE NOT BEGGING FOR U.S. FAVORS. BALL IS IN U.S. COURT.

B. ECONOMIC AND COMMERCIAL INFORMATION. SOVIETS HAVE STARTED TO EXPAND ECONOMIC AND COMMERCIAL INFORMATION IN THEIR TRADE JOURNALS. MORE AGRICULTURAL INFORMATION IS ALSO BEING MADE AVAILABLE.

C. BUSINESS CONTACTS AND FACILITIES. SOME 24 OR 25 U.S. CORPORATIONS AND BANKS NOW HAVE OFFICES IN MOSCOW, MORE THAN FOR OTHER COUNTRIES, NOTWITHSTANDING THE FACT THAT TRADE TURNOVER WITH USSR OF THESE FIRMS IS LESS THAN TURNOVER OF THIRD COUNTRY FIRMS. PRACTICALLY ALL U.S. FIRMS REPRESENTED HAVE PERMANENT FACILITIES. SOME FIRMS ARE NOT COMPLETELY SATISFIED, BUT THESE CASES ARE BEING RESOLVED. SOME THOUGHT MUST NOW BE GIVEN TO THE REAL MEANING OF FIRMS' PRESENCE SINCE THEY WERE ESTABLISHED ON THE ASSUMPTION THAT TRADE WOULD SOLIDIFY AND BECOME LARGE SCALE. ("DON'T MISUNDERSTAND ME, BUT AFTER ALL THE IDEA WAS TO EXPAND TRADE.") MEANWHILE, ESTABLISHMENT OF SOVIET ENTERPRISE REPRESENTATIONS IN U.S. (E.G. TRAKTOREXPORT IN MILWAUKEE AND LITSENZINTORG IN NEW

YORK) LONG REMAINED UNRESOLVED.

D. U.S. RESPONSE TO SOVIET PROPOSALS FOR CONFERENCES ON ENERGY, TRANSPORT AND ENVIRONMENT. U.S. SAYS IT IS STUDYING THESE PROPOSALS BUT A LONG TIME HAS ALREADY ELAPSED. SOVIET SIDE ALSO ATTACHES IMPORTANCE TO ECE ROLE, BUT WANTS IT TO TAKE POSITIVE ACTION.

E. TOURISM. DEVELOPMENT OF INCREASED SOVIET TOURISM IN USA IS CONTRAINED BY ECONOMIC AND COMMERCIAL CONSIDERATIONS. TOURIST COSTS ARE MUCH HIGHER IN USA THAN USSR AND SOVIETS HAVE LIMITED FOREIGN EXCHANGE WHICH IS ALSO A FUNCTION OF CURRENT LEVEL OF BILATERAL TRADE. MOST SOVIET TOURISM ELSEWHERE ABROAD IS RELATED TO SOME CONFIDENTIAL

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USEFUL GOAL, E.G., LOCAL CONTRIBUTIONS BY SOVIET DOCTORS, TEACHERS AND OTHER SPECIALISTS. HOWEVER, U.S. TOURIST MARKET OFFERS FEW SUCH OPPORTUNITIES. U.S. FIRMS ARE LESS WILLING THAN OTHERS TO RECEIVE SOVIET TOURISTS AND THIS ALSO BEARS ON THE PROBLEM. MOREOVER, AMONG SOVIET TOURISTS TO U.S. THERE IS FEAR OF VIOLENCE AND CRIME. INDIVIDUAL SOVIET TOURISTS THINK U.S. IS NOT BEST PLACE TO VISIT. (AMBASSADOR INTERVENED TO SAY, "WE HAVE OUR PROBLEMS, BUT LET'S NOT EXAGGERATE THEM.")

BASKET III

A. HUMAN CONTACTS.

1) FAMILY REUNIFICATION. SOVIET RECORD WAS BETTER IN 1976 THAN 1975. PROCESSING PERIOD WAS SHORTER AND, TAKING CASES INVOLVING DEPARTURE FOR U.S. AND ALL OTHER COUNTRIES TOGETHER, SOVIET DECISION WAS POSITIVE IN 98.4 PERCENT OF ALL CASES. SOVIETS HAVE FOUND THAT REPRESENTATION LISTS PROVIDED BY EMBASSY ARE NOT RPT NOT DOCUMENTS WHICH REALLY DEMONSTRATE WHO WANTS TO DO WHAT. SINCE THESE LISTS ARE OFTEN INACCURATE, SOVIET SIDE CONSIDERS AS "CONCRETE" DOCUMENTS ONLY DECLARATIONS MADE BY INDIVIDUALS THEMSELVES.

2) NOTIFICATION OF BASIS FOR REFUSAL. KORNIYENKO MADE NO COMMENT.

3) FACILITATION OF BINATIONAL MARRIAGES. IN 1976 MAJORITY OF SUCH CASES WERE RESOLVED. EXCEPTIONS DO EXIST AND WILL CONTINUE TO EXIST FOR A VARIETY OF REASONS INCLUDING PHENOMENON OF FICTITIOUS, CONTRIVED MARRIAGES. (AMBASSADOR SAID HE THOUGHT THESE WERE RARE. KORNIYENKO REPLIED, "MAYBE, BUT THEY STILL HAPPEN".) IN ANY EVENT, ALTHOUGH SOVIET DECISION IS GENERALLY POSITIVE, IT SHOULD BE REMEMBERED THAT APPROVAL WAS NOT RPT NOT AUTOMATIC. (FOR CONVERSATION ON MCCLELLAN CASE, SEE MOSCOW 2890.)

4) TRAVEL FOR PERSONAL AND PROFESSIONAL REASONS. MFA'S CONSULAR ADMINISTRATION WILL SHORTLY BE READY TO NEGOTIATE. SOVIETS HOPE U.S. SIDE IS READY TO CONFIDENTIAL

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SHORTEN PROCESSING PERIOD. SOVIETS FRANKLY DO NOT UNDERSTAND NEED FOR MULTIPLE-ENTRY EXIT VISAS FOR STUDENTS AND JOURNALISTS. (AMBASSADOR SAID THIS COULD BE DISCUSSED WHEN CONSULAR NEGOTIATIONS BEGIN.)

5) RECIPROCAL ABOLITION OF TRAVEL CONTROLS. KORNIYENKO MADE NO COMMENT.

6) TRAVEL BY REPRESENTATIVES OF SOVIET SOCIAL ORGANIZATIONS. BY DENYING VISAS TO SOVIET TRADE UNION REPRESENTATIVES, U.S. HAS VIOLATED LETTER AND SPIRIT OF FINAL ACT. (REJECTING THAT ASSERTION, AMBASSADOR SAID THAT FROM A PRACTICAL VIEWPOINT IF THE USSR COULD COMMEND ITSELF TO GEORGE MEANY AND U.S. TRADE UNION MOVEMENT THERE WOULD BE NO PROBLEM. KORNIYENKO COUNTERED THAT EVEN THOUGH MEANY APPROVED SUCH VISITS "THERE ARE OTHERS, FOR INSTANCE, LEONARD WOODCOCK. EVEN THEN, OUR AUTO TRADE UNION REPRESENTATIVES DIDN'T GET VISAS.

B. IN THE FIELD OF INFORMATION:

1) FREER AND WIDER DISSEMINATION BY RADIO. U.S. MAINTAINS ITS FOREIGN BROADCASTING IS FULLY CONSISTENT WITH LETTER AND SPIRIT OF FIRST ACT. SOVIETS INSIST THAT RADIO LIBERTY, RADIO FREE EUROPE AND CERTAIN VOA BROADCASTS DO NOT RPT NOT ACCORD WITH FINAL ACT, I.E., SUCH BROADCASTS DO NOT PROMOTE MUTUAL UNDERSTANDING BETWEEN PEOPLES. TO THE CONTRARY, THEY USE TRAITORS AND ARE HOSTILE TO USSR. (REJECTING THIS, AMBASSADOR SAID OUR POSITION ON RL AND RFE WAS SO WELL KNOWN THERE WAS NO NEED TO REPEAT IT. HOWEVER, HE WAS DISTURBED BY KORNIYENKO'S REFERENCE TO VOA. IF KORNIYENKO COULD CITE SPECIFIC EVIDENCE OF VOA VIOLATING THE FINAL ACT. AMBASSADOR WOULD LOOK INTO THE MATTER. KORNIYENKO SAID HE WOULD PROVIDE CONCRETE EXAMPLES.)

2) DISSEMINATION OF PRINTED, NON-PERIODICAL PUBLICATIONS IN EACH OTHER'S TERRITORIES. SOVIET SIDE FACILITATES DISTRIBUTION OF U.S. BOOKS (ART, CONFIDENTIAL

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TECHNICAL AND TRANSLATIONS), MANY MORE TIME NUMBER OF SOVIET BOOKS DISTRIBUTED IN U.S. (AMBASSADOR SAID HE DIDN'T WANT TO GET INTO NUMBERS GAME. HE WAS DISAPPOINTED SOVIETS WERE NOT PREPARED TO LET US OPEN COMMERCIAL BOOK STORES, AND HOPED THAT SOMEDAY OUR BOOKS COULD ENTER USSR FREELY. HOWEVER, THAT WAS SOVIET PROBLEM AND WE RESPECTED THEIR SOVEREIGNTY.)

3) MEETING OF EMBASSY REPRESENTATIVES AND MEZHDUNARODNAYA KNIGA OFFICIALS TO INCREASE AVAILABILITY THROUGH NORMAL COMMERCIAL CHANNELS OF PERIODICAL PUBLICATIONS. IN 1976 SOVIET DISTRIBUTION OF FOREIGN PERIODICAL PUBLICATIONS WAS THREE TIMES LARGER THAN BEFORE. SUFFICIENT CONTACT EXISTS THROUGH COMMERCIAL CHANNELS. THEREFORE

THERE IS NO NEED FOR EMBASSY INVOLVEMENT.

4) ESTABLISHMENT OF LIBRARIES AND
READING ROOMS. THERE IS NO NEED FOR READING ROOMS.

5) TELEVISION BROADCASTS. KORNIYENKO
MADE NO COMMENT.

6) IMPROVEMENT OF JOURNALISTS'
WORKING CONDITIONS. U.S. PROPOSAL IS A REPLAY OF SOVIET
PROPOSAL OF OCTOBER 1976. SOVIETS ARE READY TO DISCUSS
THIS.

7. BELGRADE MEETING;
SOVIETS WELCOME US STATEMENT OF WILLINGNESS
TO MEET IN BELGRADE AS ANOTHER POSITIVE STEP TOWARD RELAXING
INTERNATIONAL TENSIONS. HOWEVER, SOVIETS TAKE EXCEPTION
TO US TERMINOLOGY "REVIEW MEETINGS". FINAL ACT CALLS
FOR "PROCEEDING TO A THROUGH EXCHANGE OF VIEWS." THERE
IS NO NEED FOR MUTUAL RECRIMINATIONS OR BALANCE SHEET
APPROACHES, RAHTER WHAT IS NEEDED IS AN EXCHANGE OF
OPINIONS ON WHAT CAN BE DONE FURTHER. EACH COUNTRY CAN
OF COURSE, MAKE A PRESENTATION ON ITS OWN IMPLEMENTATION.
THE GOAL SHOULD BE THE ACHEVEMENT OF POSITIVE, CO STRRUCTIVE
RESULTS. (THE AMBASSADOR AGREED THAT THE MEETING SHOULD BE
CONSTRUTIVE AND FORWARD -LOOKING. HOWVER, WE WOULD BE
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COMPELLED TO REVIEW COMPLIANCE "OUR OWN AS WELL AS YOURS,"
BUT IN A CONSTRUCTIVE WAY.)

8. MISCELLANEUOUS --LIVING CONDITIONS FOR SOVIETS EMIGRANTS TO US:
AT ONE POINT KORNEYENKO REFERRED TO A LENGHTY
NYT ARTICLE ON DIFFICULTIES SOME SOVIET EMIGRANTS TO US
ENCOUNTER IN RESETTLING. HE ASKED IMPISHLY HOW DID WE
CONCERN OURSELVES WITH RESOLVING THESE PROBLEMS IN
ACCORDANCE WITH THE FINAL ACT, WHICH STATES THAT GOVERN-
MENTS WILL TAKE APPROPRIATE MEASURES REGARDING EMPLOYMENT.
HE SAID "WE HAVE THE IMPRESSION NOBODY CARES." (AMBASSADOR
REMINDED HIM THAT OURS WAS A FREE SOCIETY IN WHICH THE
GOVERNMENT WAS NOT IN THE POSITION TO GUARANTEE EMPLOYMENT,
BUT WAS TAKING APPROPRIATE MEASURES TO ENSURE THE OPPORUTNITY
TO WORK, TO LIVE AS ONE DESIRES AND WITH WHO ONE DESIRES.
MOS IMMIGRANT STO THE US WERE REASONABLY
WELL SATISFIED.)

9. AMBASSADOR'S CONCLUDING REMARKS:
--REFERRIN TO KORNIYENKO'S REMARKS THAT WE
SEEMED TO PLACE DISAPPROPRIATE EMPAHASIS ON BASKET III,
AMBASSADOR ASSURED HIM THAT WE WERE JUST AS INTERESTED IN
SECURITY AS SOVIETS. POSSIBLY OUR POSITION ON THIS SCORE
HAD BEEN MISINTERPRETED. OUR EMPHASIS ON BASKET
III REFLECTED OUR DESIRE FOR MORE IMPROVEMENT.
--RE TRADE BARRIERS, IT SHOULD BE CLAR TO
SOVIETS THA BOTH PRESIDENT FORD AND CARTER WERE OPPOSED

TO THE JACKSON-VANOK AMENDMENT AND TO THE STEVENSON AMENDMENT. IT WAS TRUE THAT WE HAD BEEN UNABLE TO AMEND OR ELIMINATE THIS LEGISLATION BUT THAT WAS BECAUSE OF AN UNFORALBE CLIMATE RESULTING FROM CERTAIN POSTURES ADOPTED BY THE SOVIET GOVERNMENT.

HOPEFULLY, WE WOULD MAKE THESE CHANGES THIS YEAR OR NEXT, BUT THAT DEPENDED ON THE INTERNATIONAL ATMOSPHERE. THE CONGRESS AND AMERICAN PUBLIC WOULD HAVE TO BE CONVINCED OF THE NECESSITY FOR SUCH MOVES.

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--REGARDING KORNIYENKO'S REFERENCE TO THE NUCLEAR NON FIRST USE PROPOSAL, THE AMBASSADOR SAID FRANKLY HE DID NOT THINK THIS WAS A VERY HELPFUL WAY TO PROCEED. OUR POSITION HAD BEEN MADE CLEAR BY THE NATO STATEMENT.

--AS FOR BREZHNEV'S PROPOSALS ON ENERGY, ENVIRONMENTAL AND TRANSPORTATION CONFERENCES, THEY WERE STILL UNDER CONSIDERATION BY THE USG. SOVIETS MUST RECOGNIZE THAT WE HAD JUST HAD A MAJOR CHANGE OF ADMINISTRATION. THE SOVIETS WOULD GET THEIR ANSWER IN DUE TIME.

--PERHAPS IT WOULD BE USEFUL TO RETURN TO DETAILED DISCUSSIONS AFTER THE SOVIET RESPONSE TO OUR DECEMBER DEMARCHÉ HAD BEEN EXAMINED BY WASHINGTON.

--THIS SESSION WITH KORNIYENKO HAD BEEN INTERESTING AND USEFUL. HIS FRANKNESS WAS APPRECIATED.

10. IN GENERAL, THE DISCUSSION WAS BUSINESSLIKE AND RELATIVELY RESTRAINED. PRECISELY, KORNIYENKO REPEATED MANY ASSERTIONS HE HAD MADE DURING DECEMBER 14 EXCHANGE (REFTEL), BUT DROPPED HIS EARLIER PEJORATIVE REFERENCE TO CONGRESSIONALLY MODERATED COMMISSION ON CSCE AND THREW US A FEW POSITIVE COMMENTS, AND LEFT THE DOOR OPEN FOR FURTHER DIALOGUE. BUT SOVIET PERFORMANCE IN THE HUMAN RIGHTS FIELD OVER PAST TWO MONTHS (E.G., EXPULSION OF AP CORRESPONDENT KRIMSKY, ARRESTS OF GINZBURG ET AL, HEATED EXCHANGES ON SAKHAROV, SOVIET MEDIA RESPONSE TO US HUMAN RIGHTS CAMPAIGN, AND REPEATED DETENTION OF FAYN ET AL DURING THEIR RECENT ATTEMPTS TO ENTER EMBASSY) HAS BEEN DISTINCTLY RETROGRADE. WE CONCLUDE THERE IS LITTLE PRODUCTIVE WE CAN EXPECT FROM SOVIETS BETWEEN NOW AND BELGRADE MEETING, AT LEAST IN THIS FIELD BUT WE SHOULD KEEP THEIR FEET TO THE FIRE.

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